

1 SENATE RESOLUTION

2 WHEREAS, Many persons sentenced to death in Illinois have
3 had their convictions overturned because of ineffective
4 assistance of trial counsel; and

5 WHEREAS, Presently there are no minimum standards for
6 counsel in death penalty cases; and

7 WHEREAS, Limiting counsel in capital cases to attorneys
8 experienced in criminal law and death penalty cases would
9 eliminate problems that now form the basis for avoidable
10 appellate reversals and retrials; and

11 WHEREAS, The Illinois Supreme Court has rulemaking
12 authority to address these issues; therefore be it

13 RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL
14 ASSEMBLY OF THE STATE OF ILLINOIS, That we respectfully urge
15 the Illinois Supreme Court to adopt rules to provide the
16 following:

17 1. That each defendant charged with an offense
18 where the State intends to seek the death penalty have
19 two attorneys retained or appointed to represent the
20 defendant, with one attorney designated as the lead
21 attorney and the other designated as second chair;

22 2. That all attorneys who represent defendants in
23 capital cases have a minimum of experience, such as,
24 being licensed for at least 7 years; having participated
25 in a minimum of 8 jury trials; having the recommendation
26 of at least two circuit judges who presided at those jury
27 trials; and having attended capital cases training
28 programs;

29 3. That capital cases training programs be
30 established for attorneys to improve skills necessary for
31 representing defendants in capital cases; and that the
32 training programs utilize individuals recommended by

1 circuit judges experienced in criminal law, in
2 consultation with bar associations, law school faculty,
3 and other persons knowledge in criminal law; and

4 4. That a certification process for attorneys
5 qualified to defend capital cases be established; and be
6 it further

7 RESOLVED, That a copy of this resolution be sent to the
8 Illinois Supreme Court.